

Remarks/Arguments

Status of the Application

Applicant respectfully requests reconsideration of the rejections and objections set forth in the Office Action mailed on August 11, 2005.

The Examiner has rejected claims 1-12 under 35 U.S.C. 102(e) as being anticipated by *Hoshen et al. (Hoshen)* (EP 1 231 790 A1).

The Examiner has further rejected claim 12 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication 20020198929 A1 to *Jones et al. (Jones)*.

Claims 1-12 are cancelled with traverse.

Claims 13-28 are newly added.

As such, claims 13-28 are pending in this application.

The Claims

Cited Art

Hoshen

Hoshen describes methods, "for distributing content on demand over a *cable network* in which the subscribers are connected to a Central Unit..." (Abstract, *emphasis added*). *Hoshen* further describes the network as "a typical coax network," (Col. 8, l. 4) utilizing "RF Coax Cable 501, using an in-band or out-band interactive channel receiver 503," that is used to "receive system instructions and data from the Central Management system 51," (Col. 12, ll. 22-25). Still further, *Hoshen* describes a method of preventing copying by dividing and storing content on multiple SSTB's (*see* col. 8, ll 55-58; col. 10, ll. 42-46). Finally, *Hoshen* describes a one-way peer-to-peer like network topology for high band RF transmissions to hide one cluster from another (*see* col. 14, ll. 24-40). These high band RF transmissions are transmitted in the 70-860 MHz band which is typically utilized for multiplexed UHF and VHF television signal transmissions (*see* col. 13, ll. 39-45; *see also* International Telecommunications Union (ITU) radio regulations).

Jones

Jones describes methods and systems for providing, “incentives for client machines to contribute resources to a peer-to-peer computer network” (Abstract). *Jones* further describes methods by which a master server divides large files into smaller files and then distributes those files to clients (*see* ¶ [0006]). When a subsequent request is made for the large file, the master server directs new clients to the clients having the smaller files, thus avoiding overwhelming the master server (*see id.*)

Rejections Under 35 U.S.C. § 102 (e)

Claims 1-12

The Examiner has rejected claims 1-12 under 35 U.S.C. 102(e) as being anticipated by *Hoshen et al. (Hoshen)* (EP 1 231 790 A1). Applicant has cancelled claims 1-12 and respectfully submits that the Examiner’s rejection is made moot.

Claim 12

The Examiner has further rejected claim 12 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication 20020198929 A1 to *Jones et al. (Jones)*. Applicant has cancelled claims 1-12 and respectfully submits that the Examiner’s rejection is made moot.

New Claims

Claims 13-22

Support for newly added claims 13-22 can be found in the Specification at ¶¶ 0015-0020.

Claims 23-28

Support for newly added claims 23-28 can be found in the Specification at ¶¶ 0003-0009.
23-28 ¶ 3-9

Applicants believe that all pending claims are allowable and respectfully request a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a

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to Office Action mailed 08/11/2005
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telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

The Commissioner is authorized to charge any additional fees to process this Amendment, or credit any over-payments that may apply, to our Deposit Account No. 50-2284 (Order No. PHIL-P025).

Respectfully submitted,
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